



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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ZAHIRAH MEDINA,

Plaintiff,

20 **CIVIL** 797 (VEC)

-against-

**JUDGMENT**

THE CITY OF NEW YORK, GORDON'S  
AUTO SALES, LLC, New York City Police  
Department Officer CHRISTOPHER  
WINTERMUTE Shield No. 3805, and Police  
Officers JOHN DOES 1, 2, 3, etc. (the name  
John Doe being fictitious as the true names of  
said officers are currently not known), all of  
whom are sued in their individual capacities,  
Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated February 7, 2022, the R&R is adopted in full. The Court has awarded Ms. Medina \$56,081.65 in damages against Defendant Gordon's Auto Sales, LLC, including: (1) \$38,880.00 in compensatory damages; (2) \$10,000.00 for emotional distress; (3) \$5,938.10 in lost wages; and (4) costs in the amount of \$1,263.55, as well as (5) post-judgment interest pursuant to 28 U.S.C. § 1961 from January 15, 2021 - the date of default judgment - until the date of Gordon's payment. Because the R&R gave the parties adequate warning, see R&R at 21-22, the failure to file any objections to the R&R precludes appellate review of this decision, see *Mario v. P & C Food Markets, Inc.*, 313 F.3d 758, 766 (2d Cir. 2002) ("Where parties receive clear notice of the consequences, failure timely to object to a magistrate's report and recommendation operates as a waiver of further judicial review of the magistrates decision."). Because appellate review is precluded, the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that

any appeal from the Order would not be taken in good faith, and, therefore, permission to proceed in forma pauperis for purposes of appeal is denied; accordingly, the case is closed.

**Dated:** New York, New York  
February 8, 2022

**RUBY J. KRAJICK**

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**Clerk of Court**

**BY:**



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**Deputy Clerk**